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EXAMINER

SHANG, ANNAN Q

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 02/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/033,532	Applicant(s) LEUNG ET AL.	
	Examiner Annan Q. Shang	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/22/02</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

1. Claim 1 is objected to because of the following informalities: In claim 1 line 18, it appears the phrase "the overbidding criterion" should be changed to "the overriding criterion." Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 2, 5-6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by **Brian et al (5,548,345)**.

As to claim 2, note the **Brian** references figures 1-2 and 7, discloses video viewing censoring supervision system (col.3, lines 8-28) and further discloses an apparatus for parental control of a television receiver

A television display (Display 20A of TV System 20, fig.1, col.3, lines 19-36);

A tuner (Tuner 420 of TeleCommander 'TC' 10, fig.4 col.6, lines 11-17) for receiving a plurality of television programs and passing one of the television programs (col.3, lines 8-36);

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TC-10 further includes a memory (448) for storing a blocking override list comprising information relating to at least one television program and an enable override list comprising information relating to at least one television program (col.5, line 36-col.6, line 17);

A microprocessor (M-438, col.6, lines 11-17) for Requiring a password (Personal ID Number 'PIN') for a master mode (Supervisor or Parent) to obtain access to all functions of the parental control user interface (Main Control Unit 'TeleCommader' 10, Remote Control Unit 'RC' 12 and TV System 20, col.3, lines 8-28 and col.4, line 55-col.5, line 3);

M-438 "a blocking and unblocking circuit" couples television program passed by the tuner to television display (TV-20), generates a blocking command in the unblocking mode only when the television program passed by the tuner corresponds to the information relating to one of the televisions program in the blocking override list (col.5, lines 36-57), and generates a blocking command in the blocking mode only when the television program passed by the tuner does not corresponding to the information relating to any one of the television programs in the enable override list (figs. 5, 6a, col.4, line 55-col.5, line 3, col.6, line 61-col.7, line 30 and line 30+).

As to claim 5, Brain further discloses where the blocking override list information comprises channel, date, time and length for each of its respective TV programs and the enable override list information comprises channel, date, time and length for each of its respective TV programs (col.4, lines 25-35, col.5, lines 17-35, col.6, lines 11-40, line 61-col.7, line 5 and line 18-col.8, line 1+).

As to claim 6, the claimed "A method for exercising parental control over a television receiver..." is composed of the same structural elements that were discussed with respect to the rejection of claim 2.

Claim 8 is met as previously discussed with respect to claim 5.

4. Claim 9 is rejected under 35 U.S.C. 102(b) as being anticipated by **West et al (5,550,575)**.

As to claim 9, note the **West** reference figures 1-6, discloses viewer discretion television (TV) program control system and further discloses a method for exercising parental control, comprising the steps of:

Receiving a TV signal (TV Tuner/Decoder 41/42 of Device 300) carrying a television program and a rating for the television program (figs 1-2, col.6, line 42-col.7, line 4 and col.8, lines 31-67);

Inputting (Remote Device 'RC' 47) a rating level (figs.3, 4, col.9, lines 1-21 and col.12, lines 19-39);

Extracting (Decoder 42) the TV program rating from the received TV signal (col.8, lines 31-56);

Comparing (CPU-49) the extracted TV program rating with the inputted rating level (col.9, lines 22-34, col.10, lines 27-36 and col.11, line 52-col.12, line 14);

Displaying (Display 56) the TV program carried by the received TV signal if the extracted TV program rating is below the inputted rating level (col.9, lines 22-34, col.10, lines 27-36 and col.11, line 52-col.12, line 14);

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Blocking (CPU-49) the TV program carried by the received TV signal if the extracted TV program rating is above the inputted rating level (col.7, lines 11-47, col.9, lines 22-34, col.10, lines 27-36 and col.11, line 52-col.12, line 14);

Selecting (Parent via RC-47) a specific TV program which, when carried by the received TV signal, will override the comparing step (col.14, lines 17-35, col.15, lines 17-35); and

Displaying (Display 56) the specific TV program, when carried by the received TV signal, if its rating is above the inputted rating level, or blocking the specific TV program, when carried by the received TV signal, if its rating is below the inputted rating level (col.7, lines 11-47, col.9, lines 22-34, col.10, lines 27-36 and col.11, line 52-col.12, line 14 col.14, lines 17-35 and col.15, lines 17-35).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Brian et al (5,548,345)** as applied to claims 2 and 6 above, and in view of **West et al (5,550,575)**.

As to claims 3-4, Brian fails to explicitly teach rating and a vertical blanking decoder for extracting the rating information from the TV program, and a memory

comprising rating information and where the microprocessor selectively operates in one of the blocking mode or unblocking mode based on a comparison between the extracted rating information from the TV program and the rating information stored in memory.

However, note the **West** reference figures 1-6, discloses a vertical blanking decoder (Decoder 42, col.8, lines 31-56) for extracting the rating information from the TV program, and a memory (Rating DM-64, col.9, lines 2237) comprising rating information and where the microprocessor (CPU-49) selectively operates in one of the blocking mode or unblocking mode based on a comparison between the extracted rating information from the TV program and the rating information stored in memory (col.6, line 63-col.7, line 47, col.11, line 36-col.12, line 14).

Therefore it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate the teaching of West into the system of Brian to compare extracted rating data to desired rating data and enable and selectively disable or block and unblock programs as desired based on the rating.

Claim 7 is met as previously discussed with respect to claims 3-4.

7. Claims 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Brian et al (5,548,345)** in view of **Gilboy (5,465,113)**.

As to claim 1, note the **Brian** references figures 1-2 and 7, discloses video viewing censoring supervision system (col.3, lines 8-28) and further discloses a method

and apparatus of exercising access control using a parental control user interface having different functions, the method comprising the steps of:

A television display (TV System 20);

A tuner (Tuner 420 of TeleCommander 'TC' 10, fig.4 col.6, lines 11-17) for receiving a plurality of television programs and passing one of the television programs (col.3, lines 8-36), TC-10 further includes a memory (448) for storing a blocking override list comprising information relating to at least one television program and an enable override list comprising information relating to at least one television program (col.5, line 36-col.6, line 17);

A microprocessor (M-438, col.6, lines 11-17) for Requiring a password (Personal ID Number 'PIN') for a master mode (Supervisor or Parent) to obtain access to all functions of the parental control user interface (Main Control Unit 'TeleCommader' 10, Remote Control Unit 'RC' 12 and TV System 20, col.3, lines 8-28 and col.4, line 55-col.5, line 3);

Entering a criteria (Supervisor or Parent enters different viewing modes supervising viewing, full access and programs modes) for blocking a television program from being viewed or recorded or overriding a blocked television program (figs. 5, 6a, col.4, line 55-col.5, line 3, col.6, line 61-col.7, line 30 and line 30+), note that fig.6a shows the steps of selecting different modes of viewing and M-438 "a blocking and unblocking circuit" couples television program passed by the tuner to television display (TV-20), generates a blocking command in the unblocking mode only when the television program passed by the tuner corresponds to the information relating to one of



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the televisions program in the blocking override list, and generates a blocking command in the blocking mode only when the television program passed by the tuner does not corresponding to the information relating to any one of the television programs in the enable override list;

Selecting a program for displaying or recording and unblocking the selected program that meets the blocking criterion and does not meet the overriding criterion so it can be view if the user enters the password responsive to the prompt (col.7, lines 31-59), note that Unit 10 permits a Child to select and view channels not blocked and "Not Available" screen is displayed if the child selects a blocked channel.

Brian fails to explicitly teach prompting a user not in the master mode to enter the password if the selected program meets the blocking criterion and does not meet the overriding criterion.

However, note the **Gilboy** reference figures 1-2, discloses a programmable channel regulating cable television controller, that allows a viewer to limit the total viewing time of a cable television channel or set of channels during a given time period for various users' and prompts each user for a password before and during TV viewing in order to prevent unauthorized changes to a channel timer (col.3, lines 19-25, line 45-col.4, line 15, line 41-col.5, line 16 and line 60-col.6, line 21).

Therefore it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate the teaching of Gilboy into the system of Brian to allow a parent to program different settings users of the house and provide additional security for the system by requesting for a password before and during the TV viewing.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bacon et al (6,785,817) disclose reprogrammable subscriber terminal.

Watson, Jr. et al (6,266,816) disclose tunable pass filter cable TV control.

Yuen et al (5,949,471) disclose apparatus and method for improved parental control of TV use.

Kwoh et al (5,382,983) discloses apparatus and method for total parental control of TV use.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC)** at 866-217-9197 (toll-free).



Annan Q. Shang



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